

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-3 and 5-11 are presently pending in this case. Claims 1-3 are amended and new Claims 5-11 are added by the present amendment. As amended Claims 1-3 and new Claims 5-11 are supported by the original disclosure,¹ no new matter is added.

In the outstanding Official Action, Claims 1, 2, and 4 were rejected under 35 U.S.C. §102(b) as unpatentable over Fleck et al. (U.S. Patent No. 6,977,811, hereinafter "Fleck") in view of Goodman et al. (U.S. Patent No. 6,100,875, hereinafter "Goodman"); and Claim 3 was rejected 35 U.S.C. §102(b) as unpatentable over Fleck in view of Goodman and further in view of Boehme et al. (U.S. Patent No. 6,512,670, hereinafter "Boehme").

With regard to the rejection of Claim 1 as unpatentable over Fleck in view of Goodman, that rejection is respectfully traversed.

Amended Claim 1 recites in part:

a display;
a main unit provided with a keyboard having a plurality of operation keys including ***an enter key***;
a pointing device configured to move a pointer appearing on the display in a desired direction;
a plurality of cursor keys configured to move a cursor appearing on the display in predetermined directions, the cursor keys being arranged near the pointing device; and
a confirmation button configured to confirm an item selected by said pointing device or said cursor keys, the confirmation button being positioned near said cursor keys.

The outstanding Office Action cited the "return" key shown in Figure 3 of Fleck as a "confirmation button" as recited in original Claim 3.² However, it is respectfully submitted that the "return" key shown in Figure 3 of Fleck cannot be both "an enter key" and "a confirmation button" as recited in amended Claim 1. Thus, it is respectfully submitted that

¹See, e.g., the specification at paragraphs 54, 55, 59, and 90 and Figure 5.

²See the outstanding Office Action at page 3, lines 15-17.

Fleck does not teach or suggest “a main unit” *and* “a confirmation button” as defined in amended Claim 1. Further, it is respectfully submitted that neither Goodman nor Boehme teach or suggest these features either. Consequently, Claim 1 (and Claims 2, 3, 5, and 6 dependent therefrom) is patentable over the cited references.

New Claims 5 and 6 are supported at least by the specification at paragraphs 54, 55, 59, and 90. New Claims 5 and 6 are dependent on Claim 1, and thus are believed to be patentable for at least the reasons described above with respect to Claim 1. In addition, Claims 5 and 6 recite subject matter that further patentably defines over the cited references. Consequently, Claims 5 and 6 are also patentable over the cited references.

New Claims 7-11 are supported at least by original Claims 1-4, the specification at paragraphs 54, 55, 59, and 90, and Figure 5. New Claim 7 recites in part:

a display;
a main unit provided with a keyboard having a plurality of operation means for inputting an operation command including ***enter means for inputting an enter command;***
pointing means for moving a pointer appearing on the display in a desired direction;
cursor moving means for moving a cursor appearing on the display in predetermined directions, the cursor keys being arranged near the pointing device; and
confirmation means for confirming an item selected by said pointing means or said cursor moving means, the confirmation means positioned near said cursor moving means.

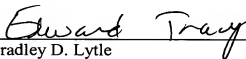
As noted above, the “return” key shown in Figure 3 of Fleck cannot be both “enter means” and “confirmation means.” Thus, it is respectfully submitted that Fleck does not teach or suggest “enter means” *and* “confirmation means” as defined in new Claim 7. Further, it is respectfully submitted that neither Goodman nor Boehme teach or suggest these features either. Consequently, new Claim 7 (and Claims 8-11 dependent therefrom) is patentable over the cited references.

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Accordingly, the pending claims are believed to be in condition for formal allowance.
An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Edward W. Tracy, Jr.
Registration No. 47,998

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

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